



Attorney Docket No.: 1017-0035-US

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought by way of the application entitled

### ENVIRONMENTAL MONITORING DEVICE

which (check) ☐ is filed with this Declaration and Power of Attorney and marked with the above title and/or Attorney Docket Number, and which is the final application provided to me by TOLER, LARSON & ABEL, L.L.P.  
☐ and is amended by the Preliminary Amendment attached hereto.  
☒ was filed on 04/14/2004 as Application Serial No. 10/824,650.  
☐ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Data (MM/DD/YYYY)
60/462,853	04/14/2003
60/462,851	04/14/2003

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became

available between the filing date of the prior application and the national or PCT international filing date of this application.

U. S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Jeffrey G. Toler, Reg. No. 38,342, J. Gustav Larson, Reg. No. 39,263; Jeffrey S. Abel, Reg. No. 36,079; Russell W. White, Reg. No. 45,691; Paul J. Polansky, Reg. No. 33,992; John R. Schell, Reg. No. 50,776; George R. Maier, Reg. No. 35,284; J. Eric Churilla, Reg. No. 42,416, and Ryan S. Davidson, Reg. No. 51,596

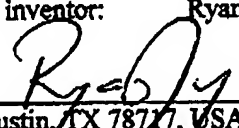
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all correspondence concerning this application to the USPTO Customer Number, if provided, or otherwise to the firm named below:

Customer Number 34456  
**TOLER, LARSON & ABEL, LLP**  
 5000 PLAZA ON THE LAKE, SUITE 265  
 AUSTIN, TEXAS 78746


Telephone: 512-327-5515  
 Facsimile: 512-327-5452

Full name of sole (or first joint) inventor: Ryan Joy

Inventor's Signature:   
 Residence: Austin, TX 78717, USA  
 Post Office Address: 1446 Hargis Creek Trail  
 Austin, TX 78717, USA

Date: 7/26/2004  
 Citizenship: USA

Full name of second joint inventor: Michael R. Primm

Inventor's Signature:   
 Residence: Austin, TX 78726, USA  
 Post Office Address: 10237 Matoca Way  
 Austin, TX 78726, USA

Date: 7/26/2004  
 Citizenship: USA

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Full name of third inventor:

Ronald Graczyk

Inventor's Signature:



Residence: Cedar Park, TX 78613, USA

Post Office Address: 1003 Hawks Nest Cove  
Cedar Park, TX 78613, USA

Date:

7/26/04

Citizenship: USA

Full name of fourth inventor:

David K. Smith

Inventor's Signature:



Residence: Georgetown, TX 78628, USA

Post Office Address: 105 Tamara Court  
Georgetown, TX 78628, USA

Date:

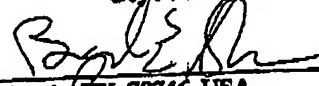
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Citizenship: USA

Full name of fifth inventor:

Boyd E. Slade

Inventor's Signature:



Residence: Austin, TX 78746, USA

Post Office Address: 1513 Wilson Heights Drive  
Austin, TX 78746, USA

Date:

8/3/04

Citizenship: USA